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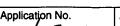
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/450,687	11/30/1999	DONALD J. CURRY	104378	8010
759	90 08/16/2002			
OLIFF & BERRIDGE PLC			EXAMINER	
P.O. BOX 1992 ALEXANDRIA	<del>-</del>		JOHNSON, TIMOTHY M	
			ART UNIT	PAPER NUMBER
			2623	U
			DATE MAILED: 08/16/2002	

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary





Applicant(s)

2623

---The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address---

## **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing data of this communication

Status	
☐ Responsive to communication(s) filed on	
☐ This action is FINAL.	
☐ Since this application is in condition for allowance except for formal ma accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 1 1; 45	atters, <b>prosecution as to the merits is closed</b> in 53 O.G. 213.
Disposition of Claims	
Ø Claim(s)	ás⊄are pending in the application.
Of the above claim(s)	is/are withdrawn from consideration.
□ Claim(s)	is/are allowed.
□ Claim(s)————————————————————————————————————	is/are rejected.
□ Claim(s)	is/are objected to.
□ Claim(s) / - 1 2	are subject to restriction or election
<i>y</i> =-0.4.11(0)	requirement.
Application Papers	·
☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTC	O-948.
☐ The proposed drawing correction, filed on is ☐ a	approved 🗆 disapproved.
☐ The drawing(s) filed on is/are objected to by the E	Examiner.
☐ The specification is objected to by the Examiner.	
$\square$ The oath or declaration is objected to by the Examiner.	
Priority under 35 U.S.C. § 119 (a)-(d)	
<ul> <li>□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C</li> <li>□ All □ Some* □ None of the CERTIFIED copies of the priority docorreceived.</li> <li>□ received in Application No. (Series Code/Serial Number)</li> <li>□ received in this national stage application from the International Bure</li> </ul>	cuments have been
*Certified copies not received:	•
Attachment(s)	
	□ Intensiew Summans PTO-412
☐ Information Disclosure Statement(s), PTO-1449, Paper No(s).	Interview Juliinary, 1 10-413
<ul><li>☐ Information Disclosure Statement(s), PTO-1449, Paper No(s).</li><li>☐ Notice of Reference(s) Cited, PTO-892</li></ul>	☐ Notice of Informal Patent Application, PTO-15

**Office Action Summary** 

Serial Number: 09/449,736

Art Unit: 2623

Part III Restriction

Restriction

This application contains claims directed to the following patentably distinct species of the

claimed invention:

I - Fig. 3 corresponds to an embodiment, call it embodiment I, of the Applicant's

disclosure.

II - Fig. 4 corresponds to another embodiment, call it embodiment II, of the Applicant's

disclosure.

III - Fig. 5 corresponds to a further embodiment, call it embodiment III, of the Applicant's

disclosure.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for

prosecution on the merits to which the claims shall be restricted if no generic claim is finally held

to be allowable. Currently, no claim is generic.

Applicant is advised that a response to this requirement must include an identification of

the species that is elected consonant with this requirement, and a listing of all claims readable

thereon, including any claims subsequently added. An argument that a generic claim is allowable

or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims

to additional species which are written in dependent form or otherwise include all the limitations of

an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election,

applicant must indicate which are readable upon the elected species. MPEP §809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct,

applicant should submit evidence or identify such evidence now of record showing the species to

be obvious variants or clearly admit on the record that this is the case. In either instance, if the

examiner finds one of the inventions unpatentable over the prior art, the evidence or admission

may be used in a rejection under 35 U.S.C. 103 of the other invention.

Serial Number: 09/449,73

Art Unit: 2623

## **Complete Requirement**

Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Should applicant traverse on the ground that the groups are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the groups to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103 of the other invention.

## **Contact Information**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Johnson whose telephone number is (703) 306-3096.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone numbers are (703) 305-4700 or (703) 305-4750.

The Group Art Unit FAX number is 703-872-9314.

TIT

Timothy M. Johnson Patent Examiner Art Unit 2623 August 12, 2002

TIMOTOY M. JOHNSON PRIMARY EXAMINER